Federal Operating Permit
Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Dominion Resources
Facility Name:	Gravel Neck/Surry Power Stations
Facility Location:	Route 650 Surry, Virginia

June 12, 2006
Effective Date

March 30, 2009
Expiration Date

Deputy Director, Piedmont Regional Office

Signature Date

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I. Facility Information

Permittee
Virginia Electric and Power Co.
5000 Dominion Boulevard
Glen Allen, VA 23060

Responsible Official
Donald Jernigan
Site Vice President (Surry)

Preston Sloane
Station Director (Gravel Neck)

Facility
Dominion Gravel Neck/Surry Power Stations
Route 650
Surry, VA, 23883

Contact Person
Ms. Pamela F. Faggert
Vice President & Chief Environmental Officer
(804) 273-3467

County-Plant Identification Number: 51-181-0002

Facility Description: NAICS 221112 - Fossil Fuel Electric Power Generation –

The Gravel Neck and Surry Power Stations are two separate electric power generating facilities under common ownership located on contiguous properties. The Surry Power Station is a nuclear-powered electric generating facility. The two nuclear reactors are regulated by the US Nuclear Regulatory Commission (NRC). There are two (2) 90.6 mmBtu/hr Babcock & Wilcox distillate oil-fired backup boilers at the Surry site, each capable of producing 80,000 pounds of steam per hour. These backup boilers were constructed in 1969 and are subject to the existing source regulations (9 VAC 5 Chapter 40).
The Gravel Neck station is a natural gas and distillate oil-fired peaking power plant consisting of six (6) combustion turbines. Two of the turbines are Westinghouse units rated at 281 and 363 mmBtu/hr. These two units were constructed in 1970 and are equipped with diesel starter engines rated at 2.35 and 4.59 mmBtu/hr. The remaining four (4) turbines are General Electric (GE) models constructed in 1989, each nominally rated at 1300 mmBtu/hr. The primary fuel for the GE turbines is natural gas and the secondary fuel is No. 2 distillate oil. The four GE turbines are subject to 40 CFR 60

(NSPS) Subpart GG (Standards of Performance for Stationary Gas Turbines) and operate under a NSR permit issued Augustl 23, 2005.

None of the units at the Gravel Neck / Surry Power Station are subject to the provisions of the Phase II Acid Rain Program (40 CFR Part 72), however, the facility is subject to the NO_X Budget Trading Program (9 VAC 5 Chapter 140).

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Nominal Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled
Fuel Burning Equipment						
Surry Power Station						
ES - 101	EP-101	Unit A Babcock & Wilcox Oil-Fired Boiler	90.6 mmBtu/hr			
ES - 102	EP-102	Unit B Babcock & Wilcox Oil-Fired Boiler	90.6 mmBtu/hr			
IS - 101	IP-101	Caterpillar 3600 Series Diesel Backup Electric Generator	4640 HP			
IS - 102	IP-102	(3) Backup Electric Generators	3950 HP each			
Gravel Neck Combustion Turbine Station						
ES - 1A (oil) ES - 1B(gas)	EP-1	Unit 1 - Westinghouse 191 Combustion Turbine	281.3 mmBtu/hr			
ES - 2A (oil) ES - 2B (gas)	EP-2	Unit 2 - Westinghouse 251 Combustion Turbine	363.3 mmBtu/hr			
ES - 3A (gas) ES - 3B (oil)	EP-3	Unit 3 - General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr (gas) 1246 mmBtu/hr (oil)	Water Injection	CD-3	NO_X
ES - 4A (gas) ES - 4B (oil)	EP-4	Unit 4 - General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr (gas) 1246 mmBtu/hr (oil)	Water Injection	CD-4	NO_X
ES - 5A (gas) ES - 5B (oil)	EP-5	Unit 5 - General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr (gas) 1246 mmBtu/hr (oil)	Water Injection	CD-5	NO_X
ES - 6A (gas) ES - 6B (oil)	EP-6	Unit 6 - General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr (gas) 1246 mmBtu/hr (oil)	Water Injection	CD-6	NO_X
ES - 7	EP-7	Unit 1 Starter Diesel Engine	2.35mmBtu/hr			
ES - 8	EP-8	Unit 2 Starter Diesel Engine	4.59 mmBtu/hr			
Fuel Storage (Gravel Neck)						
IS-9		Distillate Oil Storage Tank	3,150,000 gal	-	-	-
IS-10		Distillate Oil Storage Tank	3,150,000 gal	-	-	-

III. Fuel Burning Equipment Requirements – (Surry & Gravel Neck Power Station)

A. Limitations

1. Emissions from the operation of the two (2) Babcock & Wilcox distillate oil-fired boilers (ES-101 and ES-102), each rated at 90.6 mmBtu/hr, shall not exceed the following:

	lbs/mmBtu
PM (TSP)	0.28
PM_{10}	0.28
SO_2	2.64

(9 VAC 5-40-900 A.1, 9 VAC 5-40-930 A.1, and 9 VAC 5-80-110 B)

2. Visible emissions from the two (2) 90.6 mmBtu/hr Babcock & Wilcox distillate oil-fired boiler (ES-101 and ES-102) stacks shall not exceed 20 percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A).
(9 VAC 5-40-940 and 9 VAC 5-80-110 B)

3. The Caterpillar 3600 series diesel electric generator (IS-101) is to be used only for providing power at the Surry Power Station during interruption of service from the normal power supplier and for periodic testing.
(9 VAC 5-80-110B and NSR Permit issued 9/27/93)

4. Emissions from the operation of the Caterpillar 3600 series diesel electric generator (IS-101) and the three (3) 3950 HP Diesel-Powered Backup Generators (IS-102), shall not exceed the following:
SO2 2.64 lbs/mmBtu
(9 VAC 5-40-280 B, 9 VAC 5-50-10, and 9 VAC 5-80-110 B)

5. Visible Emissions from the Westinghouse 191 and 251 combustion turbines (ES-1 and ES-2) and their associated starter diesel engines (ES-7 and ES-8) shall not exceed 20 percent opacity except for one six-minute period in any one hour of not more than 60% opacity.
(9 VAC 5-40-80)

6. Nitrogen oxide (NO_X) emissions from the simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) shall be controlled by the utilization of water injection when firing Natural Gas and No.2 distillate fuel oil. The simple cycle combustion turbines shall be provided with adequate access for inspection.
(9 VAC 5-80-10, 9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 3 of the NSR permit issued 8/23/05)

7. Sulfur dioxide emissions from the simple cycle combustion turbines (ES-3,

ES-4, ES-5, and ES-6) shall be controlled by the use of low sulfur fuels.
(9 VAC 5-80-10, 9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 4 of the NSR permit issued 8/23/05)

8. Particulate matter (PM) emissions from the simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) shall be controlled by the use of clean burning fuels and good combustion operating practices.
(9 VAC 5-80-10, 9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 5 of the NSR permit issued 8/23/05)

9. Volatile organic compounds and carbon monoxide emissions from the simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) shall be controlled by the use of good combustion operating practices.
(9 VAC 5-80-10, 9 VAC 5-50-260, 9 VAC 5-80-110 and Condition 6 of the NSR permit issued 8/23/05)

10. Emissions from the four (4) General Electric Model PG711-EA simple cycle gas turbines (ES-3, ES-4, ES-5, and ES-6) shall not exceed 137.2 tons of nitrogen oxide (NO_X) emissions or 120.1 tons of sulfur dioxide (SO_2) emissions during the period from the first of April until the end of October of each year.

    a. Operating restrictions – the combustion turbine inlet air cooling system shall only be operated if ambient air temperatures exceed 60° Fahrenheit and the turbines (ES-3, ES-4, ES-5, and ES-6) shall be operated at a minimum of 60 MW electrical load.
    b. The permittee shall determine the actual NO_X and SO_2 emissions in proportion to the electrical generation of the facility while the inlet cooling systems are operating during the period from April 1st through October 31st of each year. The NO_X calculations shall be based on the most recent emission tests from similar units (same manufacturer and model number). The SO_2 calculations may be based on fuel sulfur content and actual quantities of fuel burned or actual electrical generation while the inlet cooling systems are operating during the period from April 1st through October 31st of each year.

    (9 VAC 5-80-1700 and Condition 7 of the NSR permit issued 8/23/05)

11. Short-term emission limits from the operation of each of the four (4) General Electric Model PG711-EA simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) while fired on natural gas shall not exceed the limits specified below (except during start-up, shutdown and malfunction conditions):

PM	5.37×10^{-3} lbs/10^6 Btu	6.2 lbs/hr
PM10	5.37×10^{-3} lbs/10^6 Btu	6.2 lbs/hr
SO2	5.20×10^{-2} lbs/10^6 Btu	66.9 lbs/hr
VOC		2.0 lbs/hr
Carbon monoxide		26.2 lbs/hr

Nitrogen oxides		196.9 lbs/hr
Nitrogen oxides	42 ppmdv @ 15% O_2	(1-hour average)

(9 VAC 5-50-260 9 VAC 5-80-110, and Condition 8 of the NSR permit issued 8/23/05)

12. Short-term emission limits from the operation of each of the Four (4) General Electric Model PG711 simple cycle combustion turbines (CT) while fired on No. 2 distillate fuel oil shall not exceed the limits specified below (except during start-up, shutdown and malfunction conditions):

PM	1.23 x 10^{-2}lbs/10^6 Btu	12.5 lbs/hr
PM10	1.23 x 10^{-2}lbs/10^6 Btu	12.5 lbs/hr
SO2	0.307 lbs/10^6 Btu	380.0 lbs/hr
VOC		6.3 lbs/hr
Carbon monoxide		28.5 lbs/hr
Nitrogen oxides		320.4 lbs/hr
	*65 ppmdv @ 15% O_2	(1-hour average)

(Fuel Bound Nitrogen less than 0.015% by weight)

Nitrogen oxides		380.0 lbs/hr
	*77 ppmdv @ 15% O_2	(1-hour average)

(Fuel Bound Nitrogen less than or equal to 0.05% by weight)
*See Condition 12.

Lead	2.0 x 10^{-2} lbs/hr

(9 VAC 5-50-260 9 VAC 5-80-110, and Condition 9 of the NSR permit issued 8/23/05)

13. The terms "start-up" and "shutdown" shall be defined as follows:

Start-up: the period, for each start command, from the beginning of "warm-up" control mode or from the point a restart is issued for a running unit in shutdown mode and continuing to the end of the first hour of water injection logging for NOx control.

Shutdown: the period, for each unit stop command, from when the control "shutdown" mode begins and continuing until no fuel is being combusted or until a restart command is received, whichever occurs first.
(9 VAC 5-170-160 of State Regulations, and Condition 10 of the NSR Permit issued 8/23/05)

14. Annual emissions from the permittee's Four (4) General Electric Model PG711 Simple Cycle Combustion Turbines shall not exceed the limits specified below:

PM	11.7 tons/yr
PM10	11.7 tons/yr

SO2	245.5 tons/yr
VOC	4.9 tons/yr
Carbon monoxide	36.0 tons/yr
Nitrogen oxides	246.0 tons/yr

(9 VAC 5-50-260 9 VAC 5-80-110, and Condition 11 of the NSR permit issued 8/23/05)

15. The four simple cycle combustion turbines combined shall not consume more than the quantity of natural gas and No. 2 distillate oil fuel annually, calculated monthly as the sum of each consecutive 12 month period., as follows:
    a. Natural gas – 3,100,000,000 scf annually when firing natural gas 100% of the time.

    b. No. 2 distillate oil – 13,700,000 – 2,200,000 * (S – 0.25)/0.05 gallons annually when firing No. 2 distillate oil 100% of the time. Sulfur (S) is equal to % S by weight annual average, but not less than 0.25% firing No. 2 distillate oil 100% of the time.

    c. No. 2 distillate oil – 13,700,000 – 2,200,000 * (FBN – 0.015)/0.035 gallons annually when firing No. 2 distillate oil 100% of the time. Fuel Bound Nitrogen (FBN) is equal to % FBN by weight annual average, but not less than 0.015% firing No. 2 distillate oil 100% of the time.

    d. When the four simple cycle combustion turbines are firing both No. 2 distillate oil and natural gas during the period individually or in combination, the annual consumption shall be limited by the following equation to limit NOx and SO2 to less than 249.5 tons per year, where: (scf natural gas used/ 3,100,000,000 scf) + (gallons of No. 2 distillate oil used/ No.2 distillate oil limit in gallons from b.) is less than or equal to 1.
    * Distillate oil limit to be determined by c. above.

    (9 VAC 5-50-160 and 5-50-170 of State Regulations and Condition 13 of the NSR Permit issued 8/23/05)

16. The approved fuels for the simple cycle combustion turbines are pipeline quality natural gas (primary fuel) and No. 2 distillate fuel oil (back-up fuel).. Distillate oil is defined as fuel oil that meets the specifications for fuel oil numbers 1 or 2 under the American Society for Testing and Materials, ASTM D396-78 “Standard Specification for Fuel Oils” or another approved ASTM method as incorporated by reference in 40 CFR 60 Subpart GG. A change in the fuels may require a permit to modify and operate.
    (9 VAC 5-80-110 and Condition 14 of the NSR Permit issued 8/23/05)

17. The maximum sulfur content of the natural gas to be burned in the simple cycle combustion turbines (CT) shall not exceed 0.06 weight percent per 100 dry standard cubic feet.
(9 VAC 5-50-410, 9 VAC 5-80-110)

18. The maximum sulfur content of the distillate oil to be burned in the combustion turbine (CT) shall not exceed 0.30 weight percent per shipment. The maximum Fuel Bound Nitrogen (FBN) content of the oil to be burned in the simple cycle combustion turbine (CT) shall not exceed 0.05 weight increase per shipment.
(9 VAC 5-170-160, 9 VAC 5-80-110 of State Regulations)

19. The Visible emissions (VE) from the simple cycle combustion turbines (CT) exhaust stack shall not exceed ten (10) percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity as determined by the Environmental Protection Agency's (EPA) Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9 VAC 5-50-260 and 9 VAC 5-50-80 and 9 VAC 5-80-110 of State Regulations)

20. Except as specified in this permit the simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) are to be operated in compliance with all applicable requirements of 40 CFR Part 60, Subpart GG - Standards of Performance for Stationary Gas Turbines.
(9 VAC 5-50-410, 9 VAC 5-80-110 of State Regulations, and Condition 29 of 8/23/05 permit)

B. Monitoring and Recordkeeping

1. The permittee shall keep records of the electrical generation of the four (4) simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) while the inlet cooling systems are operating. The permittee shall keep these records on file and shall make them available upon request by the Director, Piedmont Regional Office.
(9 VAC 5-80-1700, 9 VAC 5-80-110 of State Regulations)

2. The permittee shall report to the Director, Piedmont Regional Office by November 30 of each year the actual emissions of NO_X and SO_2 from the four (4) simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) during the period from April 1st through October 31st of each year.
(9 VAC 5-80-1700, 9 VAC 5-80-110 of State Regulations and Condition 18 of NSR Permit issued 8/23/05)

3. The permittee shall monitor the sulfur content of the natural gas being fired in the four (4) General Electric Model PG711-EA simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6), in accordance with subpart GG of the

NSPS and the US EPA approved custom fuel monitoring schedule. These records shall be available on site for inspection by the DEQ and kept on file for the most current five-year period.
(9 VAC 5-50-410, 9 VAC 5-80-110 of State Regulations and Condition 19 of the NSR Permit issued 8/23/05)

4. The permittee shall monitor the nitrogen content of the natural gas being fired in the simple cycle combustion turbine (CT), in accordance with subpart GG of the NSPS. Fuel monitoring for the nitrogen content of the natural gas fuel (required by NSPS Subpart GG) has been waived, by the Administrator of the US EPA in the US EPA custom fuel monitoring schedule, approved on July 2, 1998.
(9 VAC 5-170-160 and 9 VAC 5-80-110 of State Regulations and Condition 20 of the NSR Permit issued 8/23/05)

5. The permittee shall test the No. 2 distillate fuel oil for sulfur and nitrogen content on each occasion that fuel is transferred to the storage tank, from any other source or fuel vendor. Fuel oil sulfur content shall be determined using ASTM D2880-78 or another approved ASTM method incorporated in 40 CFR 60 by reference. Fuel oil nitrogen content shall be determined by following current ASTM procedures approved by the Administrator of the US EPA. Initial test methods and changes to test methods used by the permittee to determine sulfur and nitrogen content shall be submitted to and approved by the Piedmont Regional Office (PRO) of the DEQ. Records of fuel oil sulfur and nitrogen content shall be available on site for inspection by DEQ personnel. They shall be kept on file for the most current five-year period.
(NSPS Subpart GG, 9 VAC 5-50-410, 9 VAC 5-80-110)

6. A continuous monitoring system shall be installed and operated to indicate/determine and record the hourly fuel consumption (in scf/hour and gallons/hour) and the ratio of water to fuel oil being fired in the four (4) General Electric Model PG711-EA simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6). The system shall be accurate to within ±5.0 percent and shall be approved by the DEQ, Piedmont Regional Office (PRO). The monitoring system shall be operated at all times that water is being injected into the simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6). The monitoring system shall be maintained and calibrated in accordance with the manufacturer's specifications. A 30-day notification prior to the demonstration of continuous monitoring system performance is to be submitted to the DEQ, Piedmont Regional Office (PRO). The permittee shall maintain records of the distillate oil consumption in the simple cycle combustion turbines (ES-3, ES-4, ES-5, and ES-6) and the ratio of water to distillate oil being fired at the site. These records shall be kept on file for the most current five-year period and available for inspection by DEQ personnel.
(NSPS Subpart GG, 9 VAC 5-50-50, 9 VAC 5-80-110)

7. The permittee shall perform visible emissions observations (VEO's) on the exhaust stack of each General Electric Model PG711-EA simple cycle combustion turbine (ES-3, ES-4, ES-5, and ES-6) according to the following schedule:
    a. At least one VEO shall be conducted on each unit that operates for a cumulative total of 20 hours or more during the calendar year.
    b. At least one VEO shall be performed during each 200 hours of unit operation during the calendar year.
    c. At least one VEO shall be performed during any unit operability verification testing conducted during the calendar year.

    Each VEO shall be performed for a sufficient period of time to identify the presence of visible emissions. If no visible emissions are observed, no action shall be required. However, if visible emissions are observed, a visible emissions evaluation (VEE) shall be conducted using 40 CFR Part 60, Appendix A, Method 9 for a period of not less than 6-minutes. If the average opacity exceeds 10%, modifications and/or repairs shall be performed to correct the problem and the corrective measures shall be recorded. If such corrective action fails to remedy the opacity problem, a VEE in accordance with 40 CFR Part 60, Appendix A, Method 9, shall be performed for a period of at least 18 minutes to determine compliance with the opacity limits specified in Condition III.A.19 of this permit. The VEE observer shall be Method 9 certified.
    (9 VAC 5-80-110 K)

8. The permittee shall perform visible emissions observations (VEO's) on the exhaust stacks of the Babcock & Wilcox Oil-Fired Boilers (Unit Ref. No.'s ES-101 and ES-102), the 4640 HP Caterpillar 3600 Diesel-Powered Backup Generator (IS-101), the three (3) 3950 HP Diesel-Powered Backup Generators (IS-102), and the Westinghouse model 191 and 251 combustion turbines (Unit Ref. No.'s ES-1 and ES-2) according to the following schedule:

    a. At least one VEO shall be conducted on each unit that operates for a cumulative total of 20 hours or more during the calendar year.
    b. At least one VEO shall be performed during each 200 hours of unit operation during the calendar year.
    c. At least one VEO shall be performed during any unit operability verification testing conducted during the calendar year.

    Each VEO shall be performed for a sufficient period of time to identify the presence of visible emissions. If visible emissions are observed, a Method 9 certified observer shall conduct a VEO. If visible emissions do not appear to exceed ten percent (10%) opacity, no action shall be required. However, if the observed visible emissions appear to exceed ten percent opacity, a visible emission evaluation (VEE) shall be conducted using 40 CFR Part 60, Appendix A, Method 9 for a period of not less than 6-minutes. If the average

opacity exceeds 20%, modifications and/or repairs shall be performed to correct the problem and the corrective measures shall be recorded. If such corrective action fails to remedy the opacity problem, a VEE in accordance with 40 CFR Part 60, Appendix A, Method 9, shall be performed for a period of at least 18 minutes to determine compliance with the opacity limits specified in Conditions III.A.2 and III.A.5 of this permit. The VEE shall be EPA Method 9 certified.
(9 VAC 5-80-110 K)

9. A record of each visible emissions observation and visible emissions evaluation shall be maintained and shall include, at a minimum, the date, time, name of the emission unit, the applicable visible emissions requirement, the results of the observation, and the name of the observer.
(9 VAC 5-80-110 K)

10. The permittee shall maintain records of all emission data and operating parameters required to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Piedmont Regional Office (PRO) of the DEQ.
(9 VAC 5-50-50, 9 VAC 5-60-50, 9 VAC 5-80-110, and Condition 26 of the NSR Permit issued 8/23/05)

11. The continuous water to fuel ratio monitor required by this permit, the continuous monitoring data, and the quality assurance data shall, at the discretion of the Board, be used to determine compliance with the NO_X emission limits and/or relevant emission standards. Each monitor is subject to such data capture requirements and/or quality assurance requirements as specified in this permit and as may be deemed appropriate by the Board (40 CFR 60.13 and 40 CFR 60 Appendix B).
(9 VAC 5-80-110 and Condition 28 of the NSR Permit issued 8/23/05)

C. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 F, 9 VAC 5-80-110, and Condition 18 of the NSR permit issued 8/23/05)

2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Regulated Pollutant	Reference Method

Regulated Pollutant	Reference Method
VOC	EPA Methods 18, 25, 25a
NO_X	EPA Method 7
SO_2	EPA Method 6
CO	EPA Method 10
PM/PM_{10}	EPA Methods 5, 202 / 17, 201A
Visible Emissions	EPA Method 9

The Department and EPA have the authority to require testing not included in this permit, if necessary to determine compliance with an emission limit or standard. Alternative test methods may be used upon written approval from the Director.
(9 VAC 5-80-110)

D. Reporting

1. The permittee shall submit quarterly excess emission reports to the Piedmont Regional Office (PRO) of the DEQ within 30 days after the end of each calendar quarter or semi-annually as needed. Details of the quarterly reports are to be arranged with the Piedmont Regional Office (PRO). Each quarterly report shall cover, at a minimum, the dates included in the calendar quarter and provide the following information for each day in the quarter, report each hour during which the water to fuel ratio fell below that required to demonstrate compliance with the nitrogen oxides permit limit, copy of the written notification and corrective action taken. The report shall include the following for each period described above: start time, duration, actual and required water-to-fuel ratio, fuel type and consumption rate, nitrogen content of fuel oil (if oil-fired), ambient temperature and the simple cycle combustion turbine load. If, during the calendar quarter, there are no times when the water to fuel injection ratio fell below that required to demonstrate compliance, the permittee shall state in the quarterly report that no such events occurred during the affected calendar quarter.
(9 VAC 5-50-50, 9 VAC 5-80-110, and Condition 25 of the NSR permit issued 8/23/05)

IV. Facility-Wide Conditions

Monitoring and Recordkeeping

1. In order to minimize the duration and frequency of excess emissions due to malfunctions of process equipment or air pollution control equipment, the permittee shall:

   a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance. These records shall be maintained on site for a period of five (5) years and shall be made available to DEQ personnel upon request.

   b. Maintain a suitable inventory of spare parts to minimize the duration of air pollution control equipment breakdowns.

   (9 VAC 5-80-110)

2. The permittee shall maintain on site written operating procedures for the related air pollution control equipment. Operators shall be trained in the proper operation of all such equipment and shall be familiar with the written operating procedures. These procedures shall be based on the manufacturer's recommendations, at minimum. The permittee shall maintain records of training provided, including names of trainees, date of training, and nature of training.
   (9 VAC 5-80-110)

V. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Pollutant Emitted (9 VAC 5-80-720 B.)	Rated Capacity (9 VAC 5-80-720 C.)	Reg. Citation
Surry Power Station				
IS-103	Emergency Diesel Generator (Administrative Building)	NO_X	465 HP	C
IS-104	(3) Emergency Diesel-Powered Water Pumps	NO_X	261 HP/each	C
IS-105	ISFS Emergency Diesel Generator	NO_X	67 HP	C
IS-106	Security Emergency Diesel Generator	NO_X	67 HP	C
IS-107	Units 1-3 Back-up Air Compressors (3)	NO_X	5 HP/each	C
IS-108	Aboveground Fuel Oil Storage Tank	VOC	210,000 gallons	B
IS-109	(2) Underground Fuel Oil Storage Tanks	VOC	20,000 gallons/each	B
IS-110	Fuel Oil Storage Tanks	VOC	1 @ 1200 gallons 1 @ 1000 gallons 6 @ 550 gallons	B
IS-111	Fuel Oil Storage Tank (Emergency Water Pumps)	VOC	4800 gallons	B
IS-112	Fuel Oil Storage Tanks (Administration Building, ISFSI, and Security Emergency Generators)	VOC	1 @ 1500 gallons 1 @ 500 gallons 1 @ 285 gallons 1 @ 5 gallons	B
IS-113	Gasoline Storage Tank	VOC	4000 gallons	B
IS-114	Kerosene Storage Tank	VOC	300 gallons	B
IS-115	Lubricating Oil Systems	VOC	1 @ 22000 gallons 2 Reservoirs (with 3 bowsers each) @ 20,500 gallons each	B
IS-116	Used Lubricating Oil Systems	VOC	1 @ 22000 gallons 1 @ 10,000 gallons 1 @ 1070 gallons	B
IS-117	Sulfuric Acid (99%) Tank	Sulfuric Acid Fumes	9401 gallons	B
IS-118	Hydrazine (35%) Tanks	Hydrazine	2 @ 345 gallons each	B

Emission Unit No.	Emission Unit Description	Pollutant Emitted (9 VAC 5-80-720 B.)	Rated Capacity (9 VAC 5-80-720 C.)	Reg. Citation
IS-119	Hydrazine (1.5%) Tanks	Hydrazine	2 @ 564 gallons each	B
IS-121	Plant Welding			A
IS-122	Degreasing Operations	VOC	2 @ 150 gallon each	B
IS-123	Gravel Roads	PM_{10}		B
IS-124	Plant Painting	VOC		A
IS-125	Grit Blasting	PM_{10}		B
IS-126	Radwaste Facility	VOC	500 SCFM Total Tank Vent System	B
IS-127	Paint Shop Solvent Recovery System	VOC	15 gallons/3.5 hrs	B
IS-128	Caterpillar Olympian Emergency Diesel Generator	NOx	72 HP	C
IS-129	Sullair Backup Compressor (Low-level Intake)	NOx	250 HP	C
IS-130	Sullair Backup Compressor (Main Station Backup)	NOx	230 HP	C
IS-131	Replacement Emergency Diesel Generator	NOx	190 HP	C
IS-132	Emergency Generator (Training Center Sewage Ejector Station)	NOx	65 HP	C
Gravel Neck Combustion Turbine Station				
IS-1	Gravel Roads	PM_{10}	N/A	B
IS-2	Degreaser "Kleer Flow Cleanmaster"	VOC	N/A	B
IS-3	Unit 3-4 Glycol Heat Exchanger Systems (8 tanks)	Ethylene Glycol CAS 107211	4 each 50 gallon 4 each 125 gallon	B
IS-4	Unit 1&2 Turbine Lube Oil tanks (8 tanks)	VOC	1600 gal to 2200 gal.	B
IS-5	No.2 Fuel Oil System (6 tanks)	VOC	45 gal. to 15,000 gal.	B
IS-6	Oil/Water Separator System (3 tanks)	VOC	350 gal. to 2,000 gal.	B
IS-7	Unit 3-6 Turbine Lube Oil System (8 tanks)	VOC	250 gal. to 500 gal.	C
IS-8	Unit 1&2 Emergency Diesel Generator	CO, NO_X, PM_{10}, SO_2, VOC, HAP's	200 kW	C
IS-11	Unit 1 & 2 No. 2 Fuel Oil Storage Tank C	VOC	310,230 gallons	B

Emission Unit No.	Emission Unit Description	Pollutant Emitted (9 VAC 5-80-720 B.)	Rated Capacity (9 VAC 5-80-720 C.)	Reg. Citation
Regulatory citation explanations: A - 9 VAC 5-80-720A - Listed Insignificant Activity B - 9 VAC 5-80-720B - Insignificant due to emission levels C - 9 VAC 5-80-720C - Insignificant due to size of emission unit				

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VI. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 60.334 b	Monitoring of Operations	NSPS Subpart GG requires monitoring of the nitrogen content of the fuel being fired in the turbines. This requirement has been waived for natural gas by the US EPA Administrator in the US EPA Custom Fuel Monitoring schedule, approved July 2, 1998.

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law. (9 VAC 5-80-140)

VII. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.

3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.

4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.

5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:

   a. The date, place as defined in the permit, and time of sampling or measurements.

   b. The date(s) analyses were performed.

   c. The company or entity that performed the analyses.

   d. The analytical techniques or methods used.

   e. The results of such analyses.

   f. The operating conditions existing at the time of sampling or measurement.

   (9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
   (9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

   a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.

   b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

      (1) Exceedance of emissions limitations or operational restrictions;

      (2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

      (3) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.

2. The identification of each term or condition of the permit that is the basis of the certification.

3. The compliance status.

4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.

6. Such other facts as the permit may require to determine the compliance status of the source.

7. One copy of the annual compliance certification shall be sent to EPA at the following address:
   Clean Air Act Title V Compliance Certification (3AP00)
   U. S. Environmental Protection Agency, Region III
   1650 Arch Street
   Philadelphia, PA 19103-2029.
   (9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, PRO Region within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall

provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. [Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40.] The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit.
(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, PRO Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, PRO Region.
(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios. (9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege. (9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
   (9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
   (9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.

(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;

2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.

4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
   (9 VAC 5-80-160)
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
   (9 VAC 5-80-160)
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
   (9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
   a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
   b. The permitted facility was at the time being properly operated.
   c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
   d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
   e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
   f. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.
(9 VAC 5-80-190 C and 9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.

2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.

3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

VIII. NO_X Allowance Budget Trading Permit Requirements

A review of the air emission units included in this permit approval has determined that the equipment listed in the following table meets the definition of a NO_X Budget Unit and is subject to the NO_X Budget emission limitations under 9 VAC 5-140-40, or for opt-in sources 9 VAC 5-140-800. As required by 9 VAC 5-140-200 A for each NO_X Budget source required to have a federally enforceable permit, such permit will include the NO_X Allowance Budget Trading permit to be administered by the permitting authority. This section represents the NO_X Budget Trading permit.

The NO_X Budget Trading permit will be administrated by the DEQ under the authority of 9 VAC 5 Chapter 80, Part II, Article 1 (9 VAC 5-80-50 et seq.) and 9 VAC 5 Chapter 140, Part I (9 VAC 5-140-10 et seq.).

A. General Conditions

a. The following air emission units have been determined to meet the applicability requirements as provided in 9 VAC 5-140-40 A.1 and A.2. Units that do not meet this definition, are not defined as 25-Ton Exemption Units and are not permanently shutdown can be included in the NO_X Budget Trading program as "opt-in" air emission sources.
(9 VAC 5-140-40 A)

Table VIII - 1 – Facility NO_X Budget Units

Facility Unit ID	NATS Account ID	Unit Name and description	Maximum Heat Capacity	Max Generation Capacity
Unit 3	007032000003	General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr	92 MW
Unit 4	007032000004	General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr	92 MW
Unit 5	007032000005	General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr	92 MW
Unit 6	007032000006	General Electric PG 7111-EA Combustion Turbine	1308 mmBtu/hr	92 MW

b. This NO_X Budget Trading permit will become effective on May 31, 2004.
(9 VAC 5-140-240.1)

B. Standard Requirements

a. Monitoring requirements.
   a. The owners and operators and, to the extent applicable, the NO_X authorized account representative of each NO_X Budget source and each

NO_X Budget unit at the source shall comply with the monitoring requirements of Part I, Article 8 (9 VAC 5-140-700 et. Seq.)
(9 VAC 5-140-160 B.1)

b. The emissions measurements recorded and reported in accordance with (9 VAC 5-140-700 et seq.) (Subpart H of 40 CFR Part 97) shall be used to determine compliance by the unit with the NO_X Budget emissions limitation under paragraphs IX.B.2.a through IX.B.2.h.
(9 VAC 5-140-60 B.2)

2. Nitrogen oxides requirements.

a. The owners and operators of each NO_X Budget source and each NO_X Budget unit at the source shall hold NO_X allowances available for compliance deductions under 9 VAC 5-140-540 A, B, E, or F, as of the NO_X allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_X emissions for the control period from the unit, as determined in accordance with Part I, Article 8 (9 VAC 5-140-700 et seq.), plus any amount necessary to account for actual utilization under 9 VAC 5-140-420 E for the control period or to account for excess emissions for a prior control period under 9 VAC 5-140-540 D or to account for withdrawal from the NO_X Budget Trading Program, or a change in regulatory status, of a NO_X Budget opt-in unit under 9 VAC 5-140-860 or 9 VAC 5-140-870.

b. Each ton of nitrogen oxides emitted in excess of the NO_X Budget emissions limitation shall constitute a separate violation of 9 VAC 5 Chapter 140, Part I, the Clean Air Act, and applicable Virginia Air Pollution law.
(9 VAC 5-140-60 C.2)

c. A NO_X Budget unit shall be subject to the requirements under 9 VAC 5-140-60 C.1 starting on the later of May 31, 2004.
(9 VAC 5-140-60 C.3)

d. NO_X allowances shall be held in, deducted from, or transferred among NO_X Allowance Tracking System accounts in accordance with Part I, Article 5 (9 VAC 5-140-400 et seq.), Article 6 (9 VAC 5-140-500 et seq.), Article 7 (9 VAC 5-140-600 et seq.), and Article 9 (9 VAC 5-140-800 et seq.).
(9 VAC 5-140-60 C.4)

e. A NO_X allowance shall not be deducted, in order to comply with the requirements under 9 VAC 5-140-60 C.1 for a control period in a year prior to the year for which the NO_X allowance was allocated.
(9 VAC 5-140-60 C.5)

f. A NO_X allowance allocated by the permitting authority or the administrator under the NO_X Budget Trading Program is a limited authorization to emit one ton of nitrogen oxides in accordance with the NO_X Budget Trading Program. No provision of the NO_X Budget Trading Program, the NO_X Budget permit application, the NO_X Budget permit, or an exemption under 9 VAC 5-140-50 and no provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.
(9 VAC 5-140-60 C.6)

g. A NO_X allowance allocated by the permitting authority or the administrator under the NO_X Budget Trading Program does not constitute a property right.
(9 VAC 5-140-60 C.7)

h. Upon recordation by the administrator under Part I, Article 6 (9 VAC 5-140-500 et seq.), Article 7 (9 VAC 5-140-600 et seq.), or Article 9 (9 VAC 5-140-800 et seq.), every allocation, transfer, or deduction of a NO_X allowance to or from a NO_X Budget unit's compliance account or the overdraft account of the source where the unit is located is deemed to amend automatically, and become a part of, any NO_X Budget permit of the NO_X Budget unit by operation of law without any further review.
(9 VAC 5-140-60 C.4)

3. Excess emissions requirements.

The owners and operators of a NO_X Budget unit that has excess emissions in any control period shall:

a. Surrender the NO_X allowances required for deduction under 9 VAC 5-140-540 D 1; and

b. Pay any fine, penalty, or assessment or comply with any other remedy imposed under 9 VAC 5-140-540 D 3.

C. Recordkeeping and Reporting Requirements.

The following requirements concerning recordkeeping and reporting shall apply:

a. Unless otherwise provided, the owners and operators of the NO_X Budget source and each NO_X Budget unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years, in writing by the permitting authority or the administrator.
(9 VAC 5-14-60 E.1)

a. The account certificate of representation for the NO_X authorized account representative for the source and each NO_X Budget unit at the source and all

documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 9 VAC 5-140-130; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NO_X authorized account representative.
(9 VAC 5-14-60 E.1)

b. All emissions monitoring information, in accordance with Part I, Article 8 (9 VAC 5-140-700 et seq.), provided that to the extent that Part I, Article 8 (9 VAC 5-140-700 et seq.) provides for a three-year period for recordkeeping, the three-year period shall apply.
(9 VAC 5-14-60 E.1)

c. Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_X Budget Trading Program.
(9 VAC 5-140-60 E.1)

d. Copies of all documents used to complete a NO_X Budget permit application and any other submission under the NO_X Budget Trading Program or to demonstrate compliance with the requirements of the NO_X Budget Trading Program.
(9 VAC 5-140-60 E.1)

2. The NO_X authorized account representative of a NO_X Budget source and each NO_X Budget unit at the source shall submit the reports and compliance certifications required under the NO_X Budget Trading Program, including those under Part I, Article 4 (9 VAC 5-140-300 et seq.), Article 8 (9 VAC 5-140-700 et seq.), or Article 9 (9 VAC 5-140-800 et seq.).
(9 VAC 5-140-60 E.1)

D. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports will be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-140-300)

E. Liability

1. Any person who knowingly violates any requirement or prohibition of the NO_X Budget Trading Program, a NO_X Budget permit, or an exemption under 9 VAC 5-140-50 shall be subject to enforcement pursuant to applicable State or Federal law.
(9 VAC 5-140-60 F.1)

2. Any person who knowingly makes a false material statement in any record, submission, or report under the NO_X Budget Trading Program shall be subject to criminal enforcement pursuant to the applicable State or Federal law.

   (9 VAC 5-140-60 F.2)

3. No permit revision shall excuse any violation of the requirements of the NO_X Budget Trading Program that occurs prior to the date that the revision takes effect.

   (9 VAC 5-140-60 F.3)

4. Each NO_X Budget source and each NO_X Budget unit shall meet the requirements of the NO_X Budget Trading Program.

   (9 VAC 5-140-60 F.4)

5. Any provision of the NO_X Budget Trading Program that applies to a NO_X Budget source or the NO_X authorized account representative of a NO_X Budget source shall also apply to the owners and operators of such source and of the NO_X Budget units at the source.

   (9 VAC 5-140-60 F.5)

6. Any provision of the NO_X Budget Trading Program that applies to a NO_X Budget unit or the NO_X authorized account representative of a NO_X budget unit shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Article 8 (9 VAC 5-140-700 et seq.), the owners and operators and the NO_X authorized account representative of one NO_X Budget unit shall not be liable for any violation by any other NO_X Budget unit of which they are not owners or operators or the NO_X authorized account representative and that is located at a source of which they are not owners or operators or the NO_X authorized account representative.

   (9 VAC 5-140-60 F.6)

F. Effect on Other Authorities.

No provision of the NO_X Budget Trading Program, a NO_X Budget permit application, a NO_X Budget permit, or an exemption under 9 VAC 5-140-50 shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NO_X authorized account representative of a NO_X Budget source or NO_X Budget unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, the Clean Air Act.
(9 VAC 5-140-60 G)